

APPEAL NO. 041056  
FILED JUNE 30, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 6, 2004. The hearing officer resolved the disputed issue by determining that fees awarded to respondent 1 (attorney) in orders dated February 11, February 13, and February 20, 2004, totaling \$950.50 were reasonable and necessary. The appellant (claimant) appeals this determination and alleges bias on the part of the hearing officer. The appeal file contains no response from the attorney or respondent 2 (carrier).

DECISION

Affirmed.

The hearing officer did not err in awarding attorney's fees in the amount of \$950.50. We review a hearing officer's award of attorney's fees under an abuse-of-discretion standard. Texas Workers' Compensation Commission Appeal No. 92481, decided October 21, 1992. In determining whether there has been an abuse of discretion, the Appeals Panel looks to see whether the hearing officer acted without reference to any guiding rules or principles. Texas Workers' Compensation Commission Appeal No. 951943, decided January 2, 1996, citing Morrow v. H.E.B., Inc., 714 S.W.2d 297 (Tex. 1986). Section 408.221 and Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE §§ 152.1 through 152.5 (Rules 152.1 through 152.5) govern fees paid to a claimant's attorney. In view of the record and the applicable law, we cannot conclude that the hearing officer abused her discretion in approving the disputed attorney's fees.

With regard to the claimant's assertion that the hearing officer treated the claimant unfairly based on the fact that he does not speak English, we would point out that the claimant testified in English during the proceedings and did not request a translator. We find no evidence in the record to support the claimant's assertion of bias on the part of the hearing officer.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY OF AMERICA** and the name and address of its registered agent for service of process is

**CT CORPORATION  
350 NORTH ST. PAUL  
DALLAS, TEXAS 75201.**

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Chris Cowan  
Appeals Judge

CONCUR:

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Robert W. Potts  
Appeals Judge

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Veronica L. Ruberto  
Appeals Judge